

REMARKS

Claims 1, 2, 4-8, 10-12 and 22-23 are pending in this application. By this Amendment, claims 9, 13-21 and 24-26 are canceled without prejudice or disclaimer, and claims 1 and 23 are amended to even more clearly distinguish over the applied references. The amendments are supported in the specification by at least page 12, lines 20-29, and page 13, lines 1-18.

The Office Action rejects claims 1, 2, 4-6, 10-12 and 22-23 under 35 U.S.C. §102(a) over Bates (U.S. Patent Publication No. 2001/0055974), and rejects claims 7 and 8 under 35 U.S.C. §103(a) over Bates in view of Stewart (U.S. Patent No. 6,049,718). The rejections are respectfully traversed.

With regard to independent claims 1 and 23, the Office Action asserts at page 4 that Bates discloses "a display (130) for notifying a user"; however, independent claims 1 and 23 recite that the information notification unit affirmatively notifies a user. The Office Action asserts that, since Bates discloses a display 130, that display 130 must therefore notify a user of information derived from extracted data when there is a change in location information. However, Bates does not disclose that display 130 affirmatively notifies a user of a change of location information and, therefore, does not disclose every element of claims 1 and 23, as required by MPEP §2131. If the same rejection were applied under §103(a), with the assertion that Bates could be modified to use display 130 to notify a user of a change in location information, that interpretation would also fail because there must be a motivation or suggestion in Bates to use display 130 to notify a user of a change in location information, and Bates does not disclose such a motivation.

Furthermore, Bates does not disclose a portable information terminal having an information notification unit that notifies a user of a change in location information, without any instruction made by the user, as now recited in independent claims 1 and 23. Under the

Office Action's interpretation of Bates, a user would need to use display 130 to access information regarding a change in geographic location. Bates does not disclose notifying a user of a change in location information without any instruction made by the user.

With regard to independent claims 4 and 5, the Office Action asserts at page 5 that Bates' storage unit 230 corresponds to the recited "storage unit" and further asserts that Bates' memory 230 correlates data and location information to identify when a user is in a specific geographic region. However, Bates at paragraph [0043] discloses that the telephone company network 740 has a call router 750 that correlates data with location information. The Bates system does not correlate data and location information in a storage unit of a portable information terminal. Likewise, with regard to independent claims 1 and 23, Bates fails to disclose a portable information terminal with a data processing unit that correlates location information.

For at least the above reasons, Bates fails to disclose the features of the independent claims, and of the dependent claims, including dependent claims 7 and 8. The Office Action modifies Bates with Stewart in the rejection of claims 7 and 8, but claims 7 and 8 are patentable over Bates for the same reasons recited above, because Stewart fails to remedy the above-described deficiencies of Bates.

Bates and Stewart, alone or in combination, fail to disclose all of the features recited in the independent claims. It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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